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ORIGINAL

(30)
3/13/02
wfyIN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEROME SMITH

Plaintiff

v.

(AW) Troy Levi, Dr. Biglete
(PA) Bell (HSA) Terri Ramos
Dr. John Chung

Defendants.

:

: CIVIL No. 1:01-CV-1192

: (Judge Rambo)

: (Magistrate Judge Smyser)

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FILED
HARRISBURG

MAR 12 2002

MARY E. D'ANDREA
For DEPUTY CLERKPLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL

AND NOW comes the Plaintiff, pursuant to 28 U.S.C. § 1915 and Local Rule 83.34.1, Rules of Court, Middle District of Pennsylvania, to respectfully request that the Court appoint a volunteer attorney to assist Plaintiff in the prosecution of his civil rights case. In support of his motion, Plaintiff states the following:

1. Plaintiff is indigent, and unable to afford counsel.
2. The facts and legal claims in Plaintiff's lawsuit are arguably meritorious.
3. Plaintiff is presently in a Community Corrections (Halfway House), making it difficult for him to investigate the facts surrounding his claims. Assistance of counsel is greatly needed to navigate the complex discovery process.
4. Plaintiff's incarceration in the (Halfway House) also means that Plaintiff has only limited access to the law library, telephone, copy machine, and typewriter.

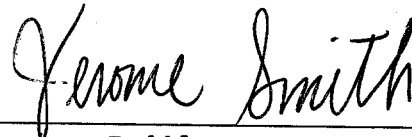
Plaintiff does not have access to an computer.

5. The factual and legal issues involved in the case are complex. In addition, successful prosecution of Plaintiff's case requires an understanding of Section 1983 jurisprudence, qualified and sovereign immunity, and other sophisticated jurisdictional and procedural issues.
6. Plaintiff has a limited knowledge of the law. He has no legal training, no prior litigation experience, and no prior work experience in the law. His education level is limited to 12 grade.

WHEREFORE, Plaintiff requests that the Court appoint a volunteer attorney to assist Plaintiff in the prosecution of his civil rights case.

Respectfully Submitted,

BY:



Jerome Smith
626 McKean Street
(215)468-4265
Pro Se Plaintiff
Philadelphia, Pa 19148

Date: February 28, 2002

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEROME SMITH

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Plaintiff

: CIVIL ACTION No. 1:01-CV-1192

v.

: (Judge Rambo)

(AW) Troy Levi, Dr. Biglete
(PA) Bell, (HSA) Terri Ramos
Dr. John Chung

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: (Magistrate Judge Smyser)

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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that he is presently located at Kintock Halfway House (325 N. Board Street) Philadelphia, Pennsylvania 19107.

That on February 28, 2002, he served a copy of the attached


PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL

PURSUANT TO BIVENS ACTION 28 U.S.C. § 1331

by placing said copy in a prepaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail Box at Philadelphia, Pennsylvania.

ADDRESSEE:

MARK E. MORRISON ESQ.
ASSISTANT U.S. ATTORNEY
228 WALNUT STREET
P.O. BOX 11754
HARRISBURG, PA 17108-1754


Jerome Smith, Plaintiff